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THE

INTERIM

A REPORT OF INTERIM ACTIVITY . . . MONTANA LEGISLATIVE COUNCIL . . . HELENA

JUNE 1987

VOL. VI. NO. 1

NEWSLETTER RESUMES PUBLICATION, AVAILABLE TO NONLEGISLATORS

The sixth volume of the Interim commences with this issue.

Legislators comprise the primary audience of the Interim's monthly report on and preview of the activities of the Legislature and of its agencies, and each member receives a copy of the newsletter. Elected officials and state government department heads receive courtesy copies.

Although the purpose is to provide information to legislators, the Interim is available to other persons upon request. Subscription cost is 75 cents an issue or \$14.25 for the 19 issues that will appear between June 1987 and December 1988, when publication will be suspended during the session of the 51st Legislature. Publication is tentatively scheduled to effect delivery on the first Monday of each month, although there may be some deviation from this schedule to accommodate holidays or special activities.

Persons other than legislators may order subscriptions from the Legislative Council by calling 444-3064 or by writing to Room 138, State Capitol, Helena 59620.

The staff will strive for brevity and readability in Interim articles which primarily will report what interim committees have done or are planning to do so a legislator can decide whether to contact a legislative agency for a copy of a full report for additional information.

A calendar of legislative events for two months following publication will appear in each issue, and these calendars have been among the Interim's most popular and useful features because members rely on the calendars to plan their schedules. Dates are

STATE DOCUMENTS FIRM because interim committees occasionally must

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Montana Legislative Council

adjust announced meeting dates to accommodate unforeseen conflicts, but committees are urged to plan carefully to minimize confusion that results from changing meeting dates. A disclaimer warning of the possibility of date changes will accompany the calendar.

Additional information on administrative matters of interest will be included in the newsletter as they develop.

The Interim aims to answer the questions of legislators. Your suggestions or comments will help us to produce a useful newsletter. Please address those suggestions or comments to Paul Verdon, legislative researcher, at the Legislative Council.

LEGISLATIVE COUNCIL

INTERIM STUDY SELECTIONS The Legislative Council met May 16 to review the interim study poll and to designate interim studies to be conducted. During the first week of May, each legislator was asked to prioritize the interim study proposals approved by the 1987 Legislature by ranking five of the 14 proposed studies in order of preference, from 1 to 5. By May 13, 126 ballots had been returned.

The chart below shows the number of votes each study received in first, second, third, fourth, and fifth place. Various weighting systems were used to assign scores to studies, but all resulted in the order shown in the chart.

RESOLUTION	1ST	2ND	3RD	4TH	5TH	TOTAL
HJR 53 (Welfare)	60	25	14	10	7	116
HJR 16 (Basic Education)	34	30	15	5	8	92
HJR 44 (Hazard. Material)	10	15	16	15	7	63
HJR 60 (Gambling Reg.)	6	16	13	12	11	58
HJR 42 (Bus. Imp. Dis.)	5	11	11	16	12	55
HJR 52 (State Printing)	4	4	7	10	13	38
HJR 50 (Special Educ.)	0	6	10	12	8	36
HJR 47 (High Sch. Assoc.)	3	5	8	10	9	35
HJR 45 (Mndtry Benefits)	0	5	6	7	9	27
HJR 54 (Educ. Accounts)	0	0	8	7	7	22
HJR 46 (Agric. Liens)	1	2	5	5	7	20
HJR 43 (Long Term Care)	0	1	4	7	6	18
HJR 57 (Tourism)	2	3	5	1	1	12
SJR 13 (Dev. Disab.)	0	2	0	1	5	8
TOTAL	125	125	122	118	110	126

TWO
COMMITTEES
ESTABLISHED

Reflecting the intention to restrict the number of interim studies, \$20,000 was appropriated for that purpose, and the Legislative Council designated only two interim subcommittees: one for HJR 53 (Welfare) and one for HJR 16 and HJR 50 (Basic Education and Special Education).

In other business, the Council appointed legislators to various committees of NCSL and CSG as follows:

CSG
APPOINTMENTS

Executive Committee/Governing Board - Rep. Rex Manuel, Rep. Bob Marks (Alt.)

Economic Development and International Trade - Rep. Norm Wallin, Sen. Gary Aklestad (Alt.)

Health and Education - Rep. Ralph Eudaily, Sen. Bob Brown (Alt.)

Water Policy Committee - Water Policy Committee

NCSL
APPOINTMENTS

Agricultural and Food Policy - Sen. Allen Kolstad, Rep. Francis Koehnke (Alt.)

Education and Labor - Sen. J. D. Lynch, Rep. Red Menahan (Alt.)

Health and Human Resources - Rep. Dorothy Bradley, Rep. Budd Gould (Alt.)

Commerce, Labor, and the Economy - Rep. John Vincent, Sen. Jack Haffey (Alt.)

Fiscal Affairs and Oversight - Sen. Paul Boylan, Rep. Jack Ramirez (Alt.)

Energy Policy Committee - Legislative Consumer Committee

MONTANA-
CANADA
COMMITTEE

The Council reappointed Senators H. W. (Swede) Hammond and Dick Manning and Representatives Dennis Iverson and Mary Ellen Connolly to serve on the Montana-Western Canadian Provinces Boundary Advisory Committee.

JULY MEETING

The Council plans to meet next on July 10 or 11.

BUSY SESSION RECALLED

INTRODUC- Bills introduced in the 50th Legislature averaged
TIONS: more than nine per member for a total of 1,394.

974 HOUSE For the 1987 session, drafting requests to the
BILLS Legislative Council total 1,869.

420 SENATE Introductions by house and categories:
BILLS

	<u>House</u>	<u>Senate</u>
Bills	912	397
Joint Resolutions	59	15
Resolutions	<u>3</u>	<u>8</u>
	974	420

INDEPENDENCE DAY HOLIDAY

OFFICE CLOSED Looking forward a month, legislators are reminded
FRIDAY that because Independence Day, 1987, falls on a
Saturday, Friday, July 3, will be observed as a
holiday for regular state employees.

The offices of all the legislative agencies will
be closed that day.

CODIFICATION PROCESS

LAWS REQUIRE The Legislative Council's Legal Division is
MORE PAGES finishing the preliminary codification of statutes
enacted by the 50th Legislature. The final
chapters of session laws were signed by the
Governor and received from the Secretary of State
on May 26. Although fewer bills were passed this
session, the number of pages in the session laws
will be considerably greater confirming earlier
indications that bills were significantly longer
in 1987.

PRELIMINARY Preliminary codification of new legislation
ACTIVITIES requires editing, inputting, and proofing.
Composites then are made of sections of the MCA
amended by more than one session law. When
composites are completed the newly codified
material is merged with the existing data base to
prepare the data base for printing.

CODE PRINTING IN TENNESSEE The 1987 Montana Code Annotated will be printed by Arcata Graphics Company in Kingsport, Tennessee. Arcata was low bidder for the printing job despite the passage of SB 98, which applied the in-state bidders preference to this year's code bid.

666 CHAPTERS The session laws will include 666 chapters (and one more if a poll of legislators results in an override of one gubernatorial veto) plus the appropriation bills and joint resolutions.

TENTATIVE LEGISLATIVE PUBLICATION SCHEDULE

FINAL STATUS DUE LATE JUNE The output of the 50th Legislature will begin to become available to the public in permanent reference form in about a month. The first of the legislative publications, History and Final Status, is expected to be delivered by the end of June. Next will come the Legislative Review in mid-July, followed by the session laws at the end of August. The Montana Code Annotated is targeted for delivery on October 1. The library of 1987 legislative literature will be complete with the publication of the Senate Journal and the House Journal in mid-November. The diligent efforts of the Legislative Council staff are focused now on providing camera-ready copy to the printers in timely fashion to assure meeting these delivery dates.

MCA EXPECTED OCTOBER 1

REVENUE OVERSIGHT COMMITTEE

OFFICERS CHOSEN The Revenue Oversight Committee met the day following adjournment of the 1987 session to elect officers and preview activities for the interim. Senator Bob Brown was unanimously elected chairman, and Representative Dan Harrington was unanimously elected vice-chairman.

THREE STUDIES POSSIBLE HJR 48, a study of Montana's property reappraisal process, and HJR 56, a study of gasoline license tax collection laws, were assigned to the committee.

HJR 42, which ranked fifth in the Legislative Council's poll to set priorities for interim studies, was recommended to the Revenue Oversight Committee for study because appropriated funds are insufficient to finance a separate interim study committee.

STAFF REVIEWS TAX ENACTMENTS The backlog of tax reform that was not accomplished during the regular session indicates the committee should be very active during the interim. Property taxes, income tax reform, and a general retail sales tax are among subjects that will be examined during the interim. The Legislative Council staff is currently developing a review of taxation bills adopted during the session for presentation to the committee and eventually to the Legislature.

MORE STAFF ASSIGNED The Revenue Oversight Committee will have additional staff during the interim since Legislative Council staff researchers Lois Menzies, Paul Verdon, and Tom Gomez have volunteered and will be responsible for several major issues during the interim. David Bohyer continues as the principal researcher assigned to the committee.

FINAL REPORT The committee's final reports from the last interim are almost complete and should be available for distribution in early July.

SECOND MEETING SET FOR JUNE 22 The committee has scheduled its second meeting of the interim for Monday, June 22, in Room 104 of the Capitol. If you are interested in the meeting or would like something to be placed on the agenda, contact Chairman Brown, or Dave Bohyer at the Legislative Council.

ADMINISTRATIVE CODE COMMITTEE

COMMITTEE OFFICERS The Administrative Code Committee met April 21 and elected Senator H. W. "Swede" Hammond as chairman and Representative Kelly Addy as vice-chairman. For the next meeting, the committee asked:

- AGENCY RESPONSES**
- the Bureau of Weights and Measures of the Department of Commerce to explain its recently adopted pit scales rules;
 - the Board of Realty Regulation of the Department of Commerce to explain a rule requiring realtors to report compensation other than commissions; and
 - the Department of Institutions to explain a rule relating to voluntary admission to the Montana Center for the Aged.

NEXT
MEETING

The next committee meeting will be held at 9 a.m., Friday, June 26, in Room 104 of the Capitol, and the agenda will include:

OTHER TOPICS

- Discussion of the committee's budget and formation of a tentative meeting schedule;
- A DNRC request that the committee withdraw its objection to a water reservation rule;
- HB 310 (Chapter 51, Laws 1987), which establishes a procedure for selection of qualified applicants to provide architectural, engineering, and land surveying services under public contracts;
- A state lottery rule that claiming a prize constitutes consent to the use of the winner's name and picture for promotional purposes;
- The Department of Revenue's interpretation of the Greenbelt Appraisal law to require that one raising livestock on less than 20 acres must raise all the feed for the livestock on that parcel of land or the land will not be classified as agricultural; and
- Committee work during the interim.

SUPER COLLIDER TASK FORCE EYES AUG. 3 PRESENTATION

PRIVATE FUNDS
AID EFFORT

HB 867 appropriated \$300,000 to the Governor's Office to prepare Montana's bid for the \$4.4 billion superconducting super collider research facility proposed by the U.S. Department of Energy. The legislation also authorized a nine-member task force to oversee Montana's application and required a private sector match of at least \$1 for every \$3 in state funds. The Montana Ambassadors have raised the required \$100,000 match and have established a nonprofit entity to accept further private contributions for the project.

BILLINGS SITE
FAVORED

The task force met on May 15 to consider the recommendations of its subcommittees on site and proposal manager selection. Comanche Basin, about 15 miles northwest of Billings, was chosen as Montana's preferred site.

**TASK FORCE
MEETS WEEKLY**

The engineering firm of Stone and Webster was selected to prepare Montana's super collider proposal, under the direction of the Task Force, whose members were appointed by the Governor April 30, and which will meet weekly with the proposal manager to oversee the development of the proposal, due Aug. 3. The 11-week effort to develop Montana's bid includes two weeks of initial intensive planning, three weeks of data collection and offer preparation, two weeks of environmental evaluation, two weeks of draft preparation, one week of review, one week of rewrite, and two weeks of final production with some overlap among these activities.

LEGISLATIVE FINANCE COMMITTEE

**APPROPRI-
ATIONS REPORT
DUE**

The Legislative Finance Committee will meet Saturday, June 20, to receive the Appropriations Report which summarizes the 1987 session budget actions. The book format will be very similar to the House Bill 2 narrative and is designed to be used as a reference. It provides a good overview of the program and budget changes in each agency. There is also a general fund summary and a detailed general fund revenue explanation.

**THREE
OFFICERS**

Officers elected for the Legislative Finance Committee are Representative Ray Peck, chairman; Senator Matt Himsl, vice-chairman; and Representative Ron Miller, secretary.

WATER POLICY COMMITTEE

The Water Policy Committee met May 21 and reelected Senator Jack Galt and Representative Dorothy Bradley chairman and vice-chairman, respectively.

**WATER RIGHTS
ADJUDICATION**

A lengthy discussion concerned the appropriation for a study of the water rights adjudication process. The committee voted unanimously to hire a consultant to undertake the study and appointed a task force composed of committee members, water users, representatives of the Water Court and DNRC to design a request-for-proposals (RFP) based on directions given at the meeting.

OTHER TOPICS
CONSIDERED

Other topics selected for study by the committee include the public trust doctrine, with particular emphasis given to protecting agricultural water users from adverse effects, and a recommendation that water use efficiency be studied if assistance is available from the National Conference of State Legislatures. The committee will also receive briefings during the interim on the water development program, water data management, the state water plan, water-related research, and groundwater management. The committee continues its interest in negotiations toward an agreement on allocation of Missouri River waters and will participate in briefings as appropriate.

MEETING SET
FOR JULY 10

The committee's next meeting is set for July 10 when it will review the draft RFP and receive updates on the water development program and other water issues.

ENVIRONMENTAL QUALITY COUNCIL

The Environmental Quality Council will hold its first meeting of the interim June 3, beginning at 9 a.m. in Room 104 of the Capitol.

FIRST MEETING
SLATED JUNE 3

A major focus of the meeting will be consideration of the EQC workplan for the 1987-89 interim, with potential study topics including hazardous waste management, forest practices/watershed effects (HJR 49), and subdivision regulation. The Council will review the progress of EQC's ongoing project to improve agency implementation of the Montana Environmental Policy Act. A report commissioned by the health department on revenue issues relating to Montana's underground storage tank program will also be presented.

The EQC agenda includes several organizational items, including election of officers, a review of rules of procedure, and a review of EQC's statutory responsibilities.

LEGISLATIVE AUDIT COMMITTEE

The Legislative Audit Committee will meet June 18-19, in Room 104 of the Capitol, to hear the following audit reports:

AUDIT REPORTS Financial-Compliance:
TO BE HEARD

Eastern Montana College

Western Montana College

Montana College of Mineral Science and
Technology and Bureau of Mines

Office of Political Practices

Montana Historical Society

Department of Natural Resources and
Conservation

Department of Fish, Wildlife and Parks

Judicial Branch

Office of the Governor and Lieutenant
Governor

Public Service Commission

Secretary of State

Contracted Financial-Compliance Audits:

Department of Commerce, Coal Board Grants

Miles Community College

Performance Audits:

Department of Administration, Photocopy Pool

Department of Administration, Rejected Bids

OTHER TOPICS

The committee also will review the office's fiscal
year 1987-88 operating budget and consider the
reappointment of the Legislative Auditor.

E:inter

LEGISLATIVE INTERIM CALENDAR


JUNE

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	3 EQC - Rm. 104	4	5	7
7	8	9	10	11	12	13
14	15	16	17	18 --- LEG. AUDIT COMMITTEE --- Rm. 104	19 LEG. FINANCE COMMITTEE	20
21	22 ROC - Rm. 104	23	24	25	26 ACC - Rm. 104	27
28	29	30				

*ALL MEETINGS ARE SUBJECT TO CHANGE

LEGISLATIVE INTERIM CALENDAR

JULY

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	2	3 State Holiday	4 INDEPENDENCE DAY 
5	6	7	8	9	10 Leg. Council (May meet 7/11 instead) _ _ _ Water Policy Committee	11 Leg. Council ??
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

*ALL MEETINGS ARE SUBJECT TO CHANGE

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